

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT  
219 South Dearborn Street  
Chicago, Illinois 60604

May 10, 2021

Chief Judge Diane S. Sykes

Nos. 07-21-90020, 07-21-90021 & 07-21-90022

IN RE COMPLAINTS AGAINST THREE JUDGES:

MEMORANDUM

Complainant filed misconduct complaints against three judges challenging various rulings they made in his criminal case. These allegations are directly related to the merits of the judges' decisions or procedural rulings and are not a proper subject of a misconduct complaint under the Judicial Conduct and Disability Act. 28 U.S.C. § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." Standard 2 for Assessing Compliance with the Act, *Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice* 145 (2006).

Complainant also alleges misconduct by others, including detectives, witnesses, and attorneys. Complaints against non-judicial persons do not fall within the purview of the Act. *See* 28 U.S.C. § 351(a), (d) (permitting a complaint against "a judge" and defining that term to include only circuit, district, bankruptcy, and magistrate judges); *see also id.* § 352(b)(1)(A)(i). Complainant has made similar allegations against non-judicial persons in prior misconduct complaints. I remind him again that allegations of this type do not implicate the Act, and I also warn him that abuse of the misconduct-complaint process may result in filing restrictions.

The complaints are dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(i) and (ii).